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**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2009-0199D **PC DATE:** May 11, 2010

PROJECT NAME: Holly Street Power Plant Decommissioning and Demolition Project

ADDRESS: 2401 Holly St

WATERSHED: Lady Bird Lake (Urban)

AREA: 21.54 acres

EXISTING ZONING: P-NP – Public - Neighborhood Plan

PROPOSED DEVELOPMENT: The Holly Street Power Plant has been out of operation since 2007, and the demolition application requests for 28 of the 39 on-site structures to be demolished. The applicant requests approval of LDC 25-2-625(D)(2) – Conditional Use Permit as related to P - Public zoning.

APPLICANT: Austin Energy
Rose San Miguel
721 Barton Springs Rd
Austin, TX 78704

AGENT: Axiom Engineers Inc.
Nicole Findeisen
13276 Research Blvd, Suite 208
Austin, TX 78750

NEIGHBORHOOD PLANNING AREA : Holly Neighborhood Planning Area
TIA: No **DESIRER DEVELOPMENT ZONE:** Yes
CAPITOL VIEW CORRIDOR: Yes **HILL COUNTRY ROADWAY:** No
APPLICABLE WATERSHED ORDINANCE: Current/Comprehensive Watershed Ordinance

NEIGHBORHOOD ORGANIZATIONS:

- 24 – East Town Lake Citizens Neighborhood Organization
- 30 – Guadalupe Neighborhood Development Corp.
- 189 – Southeast Austin Neighborhood Alliance
- 299 – Crossing Gardenhome Owners Association
- 300 – Terrell Lane Interceptor Association
- 428 – Barton Springs/Edwards Aquifer Conservation District
- 477 – El Concilio, Coalition of Mexican American Neighborhood Association
- 511 – Austin Neighborhoods Council
- 739 – East Riverside/Oltorf Neighborhood – COA Team Liaison
- 742 – Austin Independent School District

743 – Southeast Austin Trails & Greenbelt Alliance
744 – Sentral Plus East Austin Koalition (SPEAK)
763 – East Riverside/Oltorf Neighborhood Plan Contact
781 – Southeast Coalition
786 – Home Builders Association of Greater Austin
794 – Waterfront Condominium HOA
972 – PODER
1004 – Save Town Lake.ORG
1017 – East River City Citizens
1037 – Homeless Neighborhood Association
1075 – League of Bicycling Voters
1113 – Austin Parks Foundation
1188 – Austin Street Futbol Collaborative
1189 – Tejano Town
1199 – United East Austin Coalition
1200 – Super Duper Neighborhood Objectors andAppealers Organization

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the conditional use permit. The site complies with all requirements of the Land Development Code.

PLANNING COMMISSION ACTION: May 11, 2010

WATERFRONT PLANNING ADVISORY BOARD ACTION: May 10, 2010 – *Recommendation Pending*

ENVIRONMENTAL BOARD: May 5, 2010 – *Recommendation Pending*

RELATED CASES: P.C. ACTION: none.

SUMMARY COMMENTS ON SITE PLAN:

Site Information: The Holly Street Power Plant Decommissioning and Demolition Project (the Project) is the next phase in the redevelopment of the recently retired, gas-fired, electric generating power plant that sits on the banks of Lady Bird Lake in East Austin. The Project at this time is only for the demolition of the Power Plant – and future plans for park development will be a separate project in the future.

The site occupies a portion of two adjoining tracts of land consisting of a total of 21.54 acres of land. The project site is roughly bounded by Lady Bird Lake to the south, Holly Street to the north, Robert Martinez Jr. Street to the west, and Pedernales Street to the east. Owned by the City of Austin (COA), it served the electrical needs of many Austin citizens for over 40 years. Many of the plants' structures will be demolished during the phase though several buildings and functions will remain operational. As currently planned, 28 of the 39 structures will be demolished. Those remaining will be a combination of buildings and electrical substation components.

Waterfront Overlay: This Project is located within the Festival Beach portion of the Waterfront Overlay Combining District. In June 2009, City Council passed an ordinance to amend the district's development allowances, and to establish a Waterfront Overlay Board. According to LDC § 25-5-143, the director shall request a recommendation from the Waterfront Planning Advisory Board to be presented to the Land Use Commission. As this site is zoned P-NP (Public – Neighborhood Plan), this

site plan is considered a Conditional Use Permit, and must be approved by the Planning Commission in this case. According to §25-2-721, Planning Commission shall request a recommendation from the Environmental Board before approving or denying a site plan within the Waterfront Overlay combining district and shall consider the recommendation provided by the board. If the Environmental Board fails to make a recommendation, the Land Use Commission may approve or deny the site plan without a recommendation.

The demolition of the old Power Plant is in alignment with the Goals and Policies of the Waterfront Overlay Combining District. The goals include ensuring that zoning decisions in the Colorado River corridor achieve the highest degree of land use compatibility by eliminating industrial uses from the confluence of Longhorn Dam; phasing out resource extraction; and providing the public visual and physical access to the Colorado River. Goals also strive to protect, enhance, and interpret natural values and environmentally sensitive areas of the Colorado River Corridor through appropriate mitigation for new development affecting identified landforms; and maintenance of natural shorelines and bluffs along the waterfront, except where otherwise required by subdistrict regulations or for necessary stabilization. The final goal of the District is to recognize the potential of the waterfront as an open space connector, form-shaper of urban development, and focal point for lively pedestrian-oriented mixed uses as defined by the subdistrict goals of the Town Lake Corridor Study.

Environmental: An Environmental Assessment was performed for the site in June 2009 by Weston Solutions. Environmental Resource Management staff had no comments on the Project. The applicant requested an administrative variance as the site plan proposes demolition within the Critical Water Quality Zone in an Urban Watershed (LDC Article 7, Division 1) along Lady Bird Lake. City staff granted the administrative variance from Land Development Code 25-8-261 to allow development within the Critical Water Quality Zone, as the Findings of Fact (LDC 25-8-42(C)) have been met. Please see the attached Administrative Variance Action Form, which was approved on April 22, 2010. No trees will be removed during this Project.

Drainage: Since the project will result in a net decrease of impervious cover and due to its proximity to Town Lake, no 2 or 25/100-year detention ponds are proposed. After demolition of the plan infrastructure, drainage from the site will be regarded to sheet flow to Town Lake.

Water Quality: Water Quality will be protected during demolition through the use of temporary erosion control devices installed and maintained in accordance with the City of Austin Environmental Criteria Manual. Construction will proceed in a manner that will maximize the use of temporary erosion control devices and by installing tree protection fencing.

The Future of the Power Plant Location: Upon completion of the demolition phase, a portion of the site will be converted to parkland and developed according to the requirements as a Community Park. Associated improvements to be completed during this phase will include the demolition of the existing plant infrastructure, relocation of domestic utilities and grading. City Council has passed a Resolution (attached) to allocate funds to develop a master plan for the Holly Power Plant Site Park. The planning process for the future park is only in its beginning stages.

The Parks & Recreation Department, in cooperation with Contract & Land Management Department, has begun the process of Consultant Selection for a Master Plan of the Holly Shores/Festival Beach area. The Master Plan will focus primarily on approximately 9 acres of property in the Holly Power Plant site that will be transferred to Parks & Recreation Department from Austin Energy following the demolition of the power plant. The Master Plan will also evaluate and assess the best use options for existing parklands adjacent to the Holly Power Plant area.

Once the Notice to Proceed has been issued to the selected Consultant, presentations will be made periodically to the Waterfront Planning Advisory Board to provide the Board with updates on the progress of the Master Plan.

CASE MANAGER: Sarah Graham
Sarah.Graham@ci.austin.tx.us

PHONE: 974-2826

PROJECT INFORMATION: 21.54 acres

EXIST. ZONING: P-NP

MAX. BLDG. COVERAGE: N/A

PROP. BUILDING CVR: 19,339 sq. ft. (2.06%)

MAX. IMPERV. CVRG.: N/A

PROP. IMP. CVRG.: 404,676 sq. ft. (43.13%)

ALLOWED F.A.R.: N/A

PROPOSED F.A.R.: .02:1

HEIGHT: N/A

PROP. HEIGHT: 16' (2 story)

SURROUNDING CONDITIONS:

Zoning/ Land Use

Northwest: Holly Street, then SF-3-NP (single family)

Northeast: P-NP (Austin Energy property)

Southeast: Lady Bird Lake

Southwest: SF-3-NP (single family), then Lady Bird Lake

Street	R.O.W.	Surfacing	Classification
Holly Street	62'	39'	Collector

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

A conditional use site plan must:

1. **Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;** Staff response: The demolition of the power plant is the first step for this site to become more compatible with the surrounding uses.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: The proposed parking is adequate.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of these adverse effects. No lighting is proposed with the demolition permit.

A Conditional Use Site Plan May Not:

1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform with all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a permitted use. The demolition of the power plant is the first step for this site to become more compatible with the surrounding uses.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Access is limited into the site, and surrounding vehicular circulation in the area of the project is not anticipated to have any detriment of safety or convenience.
3. **Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed with the demolition site plan.



Holly Street Power Plant Decommissioning and Demolition Project - Conditional Use Site Plan



SUBJECT TRACT

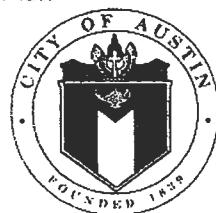
ZONING BOUNDARY

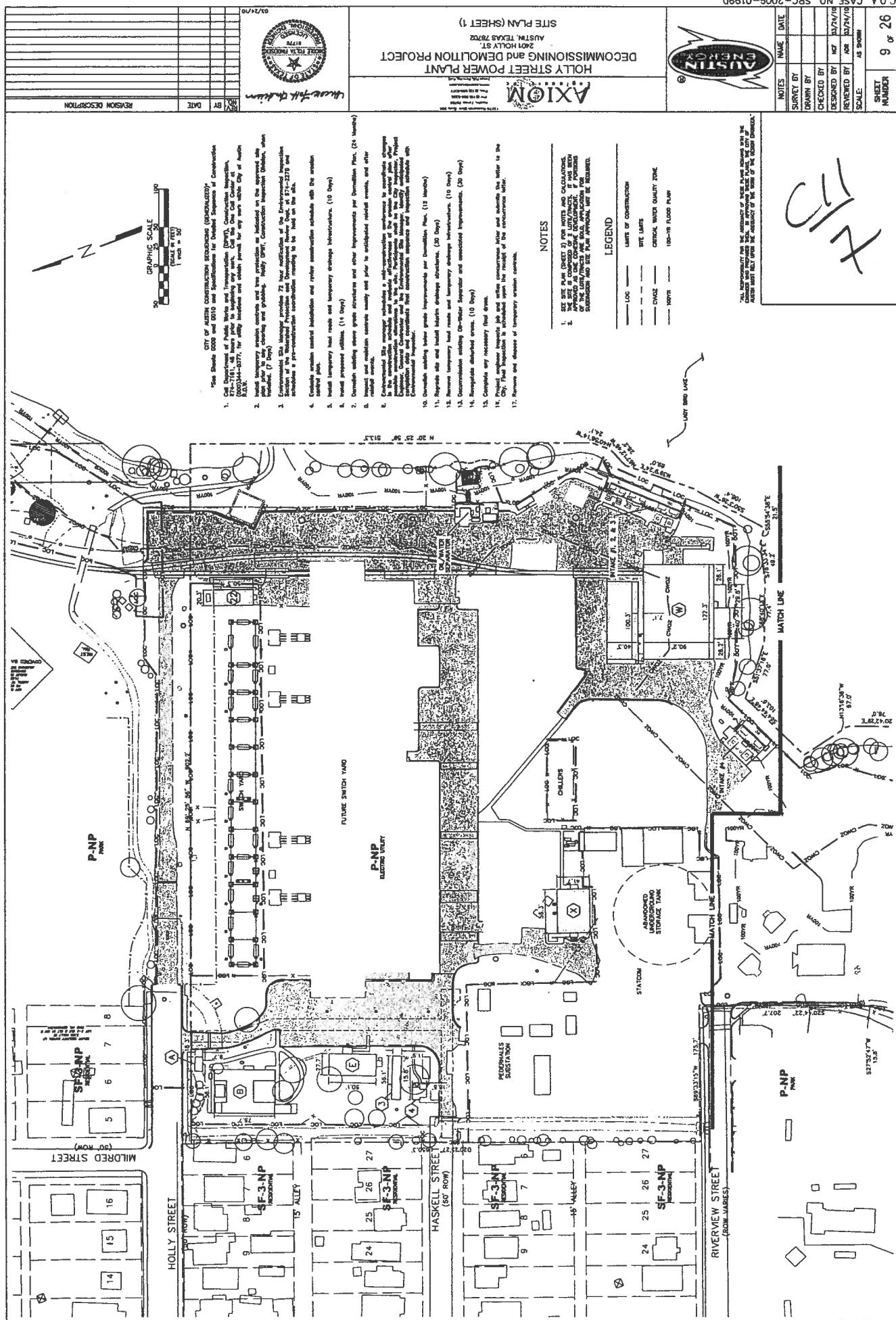
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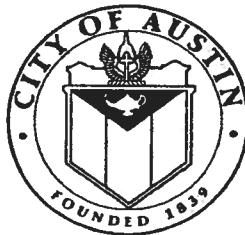
OPERATOR: Sarah Graham

CASE#: SPC-2009-0199D
ADDRESS: 2401 Holly Street
MANAGER: Sarah Graham

This map has been produced by the case manager for the sole purpose of geographic reference.
No warranty is made by the City of Austin regarding specific accuracy or completeness.







CL/G

ADMINISTRATIVE VARIANCE ACTION FORM – LDC SECTION 25-8-42

Application Date: July 1, 2009

Project Case Number: SPC-2009-0199D

Project Name: Holly Street Power Plant Decommissioning and Demolition Project

Project Address: 2401 Holly Street

Watershed & Classification: Town Lake (Lady Bird Lake) Watershed, Urban Waterhsed, Desired Development Zone

Ordinance Standard: LDC Article 7, Division 1 (for construction in the Critical Water Quality Zone in an Urban Watershed)

Variance Request: Request is to allow demolition within the CWQZ along Lady Bird Lake.

Action: Grant

Findings of Fact (LDC 25-8-42(C)):

- 1) Development in accordance with the variance meets the objective of the requirements for which the variance is requested. Yes
- 2) For property in the Barton Springs Zone, the variance will result in water quality that is at least equal to the water quality achievable without the variance. NA
- 3) For a variance described in LDC Section 25-8-42(B)(6), the cut or fill is not located on a slope with a gradient of more than 15% or within 100 feet from the centerline of a classified waterway. Not applicable.

To support granting a variance, all applicable criteria must be checked "yes."

Action Date: 4/22/10

Reviewer's Name: Brad Jackson

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RESOLUTION NO. 20090924-068

WHEREAS, Mexic-Arte Museum is dedicated to enriching the community through education programs and exhibitions focusing on traditional and contemporary Mexican, Latino, and Latin American art and culture. Since its founding in 1984, Mexic-Arte Museum has been designated as the Official Mexican and Mexican American Fine Art Museum of Texas by the 78th Legislature of the State of Texas; and

WHEREAS, Mexic-Arte Museum will be celebrating its 26th Annual Dia de los Muertos celebration, Austin's largest and longest-running Day of the Dead festival featuring Latino artists and entertainment, an exhibition, and educational programs in the heart of downtown; and

WHEREAS, Mexic-Arte wishes to expand its celebration to include Holly neighborhood families in all of its activities; and

WHEREAS, there are currently funds that have not been spent in the Holly Good Neighbor program and cannot be used through existing programs this fiscal year; and

WHEREAS, it is the intent of the City Council to allocate these funds to other efforts that will enhance the quality of life for residents in the Holly neighborhood; **NOW, THEREFORE**

CH/11

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to reallocate:

- the \$550,000 designated by prior Council Resolution No. 20080925-081 for the Holly Neighborhood Home Rehabilitation Program to develop a master plan for Festival Beach, Fiesta Gardens, and the Holly Power Plant Site Park; and
- the \$35,000 designated by prior Council Resolution No. 20080925-081 for grant-writer funding to the Mexic-Arte Museum for the administration of afterschool programs and the Dia De Los Muertos celebration.

ADOPTED: September 24, 2009

ATTEST:

Shirley A. Gentry
Shirley A. Gentry
City Clerk



CH
PZ

M E M O R A N D U M

TO: Sue Welch, Senior Planner, Planning and Development Review Department

FROM: Mike Jones, Project Coordinator, Parks & Recreation Department

DATE: April 12, 2010

SUBJECT: Holly Shores/Festival Beach Master Plan

This Memo is to serve as notification that Parks & Recreation Department, in cooperation with Contract & Land Management Department, has begun the process of Consultant Selection for a Master Plan of the Holly Shores/Festival Beach area. The Master Plan will focus primarily on approximately 9 acres of property in the Holly Power Plant site that will be transferred to Parks & Recreation Department from Austin Energy following the demolition of the power plant. The Master Plan will also evaluate and assess the best use options for existing parklands adjacent to the Holly Power Plant area.

Once the Notice To Proceed has been issued to the selected Consultant, presentations will be made periodically to the Waterfront Planning Advisory Board to provide you with updates on the progress of the Master Plan.

If you have any questions, please contact me at 974-9476.

Respectfully,

Mike Jones
Project Coordinator
Parks & Recreation Department

cc: Ricardo Soliz
File copy

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2009-0199D	Contact: Sarah Graham, 512-974-2826 or Michelle Casillas, 512-974-2024	Public Hearing: Planning Commission, May 11, 2010
<p><input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object</p>		
<p><i>Tyler Northcutt</i> Your Name (please print)</p>		
<p><i>2217 Capital</i> / <i>AUSTIN TX 78702</i> Your address(es) affected by this application <i>TYLER NORTHCUTT</i> Signature Daytime Telephone: <i>405.990.4450</i></p>		
<p>Comments: _____ _____</p>		
<p>If you use this form to comment, it may be returned to: City of Austin Planning and Development Review Sarah Graham P.O. Box 1088 Austin, TX 78767-8810</p>		

*TY
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Item C 11
Addendum #1



TO: Members of the Planning Commission

FROM: Sarah Graham, Senior Planner
Planning and Development Review Department

DATE: May 11, 2010

SUBJECT: Holly Street Power Plant Decommissioning and Demolition Project
SPC-2009-0199D

ADDRESS: 2401 Holly Street

REQUEST: To update the Planning Commission on the Recommendations from the Environmental Board and the Waterfront Planning Advisory Board.

From the Environmental Board:

Recommended Approval on Consent of LDC 25-2-721A(4) for the Holly Street Power Plant Decommissioning and Demolition – Recommendation of the Environmental Board for a site plan within the Waterfront Overlay Combining District. Vote 6-0-0-1.

From the Waterfront Planning Advisory Board:

Recommended Approval on Consent of LDC 25-5-143(C) – Recommendation of a site plan in the Waterfront Overlay to be presented to the Land Use Commission. Vote 4-0-0-2.

If you need further details, please feel free to contact me at 974-2826.

Sarah Graham, Senior Planner
Planning and Development Review Department

c11 / Addendum #2



ENVIRONMENTAL BOARD MOTION 0505104c

Date: May 5, 2010

Subject: Consent Agenda – Holly Street Power Plant Decommissioning and Demolition
SPC-2009-0199D

Motioned By: Phil Moncada

Second By: Bob Anderson

Recommendation

The Environmental Board recommended approval on consent to agenda item 4c; Holly Street Power Plant Decommissioning and Demolition.

RECOMMENDATION CONSENT

Vote 6-0-0-1

For: Ahart, Anderson, Beall, Maxwell, Moncada and Neely

Against:

Abstain:

Absent: Robin Gary off the dais.

Approved By:

Mary Gay Maxwell
Environmental Board Chair

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and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2009-0199D

Contact: Sarah Graham, 512-974-2826 or
Michelle Casillas, 512-974-2024

Public Hearing: Planning Commission, May 11, 2010



Your Name (please print): Tyler Northcutt

2217 Gardner St Austin TX 78702
Your address(es) affected by this application

Date: 5/1/10
Signature
Sarah Graham

Daytime Telephone: 453 990-4150

Comments: _____

C11 / Addendum #3

If you use this form to comment, it may be returned to:

City of Austin
Planning and Development Review
Sarah Graham
P. O. Box 1088
Austin, TX 78767-3880

PUBLIC HEARING INFORMATION

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CII / Addendum #4

Case Number: SPC-2009-0199D

Contact: Sarah Graham, 512-974-2826 or
Michelle Casillas, 512-974-2024

Public Hearing: Planning Commission, May 11, 2010

Daisy A. Franco

Your Name (please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

A zoning amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

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Case Number: SPC-2009-0199D

Contact: Sarah Graham, 512-974-2826 or
Michelle Casillas, 512-974-2024

Public Hearing: Planning Commission, May 11, 2010

Daisy A. Franco

Your Name (please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

2115 GARDEN ST.

Your address(es) affected by this application

Saving a Name

Signature

Date

Daytime Telephone: 512-480-8228

Comments: TO MUCH TRAFFIC AND DOWN STREETS
PEOPLE THAT ARE NEW IN EAST AUSTIN
ALREADY SPEED UP DOWN ROBERT
MARTINEZ 50 MPH IN SCHOOL ZONES
NEED SPEED BUMPS. A LARGE DEVELOPMENT
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CITY OF AUSTIN PLANNING AND DEVELOPMENT REVIEW BOARD, 6TH FLOOR, 100 E. CECIL
SARAH GRAHAM P.O. BOX 1088 W.C. 1149E M.Y. OPPORTUNITY TO TO OBJECT
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C = / Addendum #5

RATHER THAN REASON, AGAINST OUR RACE AS A GROUP OR TO HUMANEED. WE HAVE PUT
A ENVIROMENT FOR KIDS. A PLACE TO EDUCATE SCHOOLING FOR MORE OR GROWTH FOR THE FUTURE
GROWTH OF EDUCATION. WE ARE BEING PUSHED OUT AND THAT'S NOT RIGHT, IT ISN'T WHICH
PUT A BIG EFFECT IN THIS CLOSE PLACE FOR THE OLD & YOUNG, BUILDING SHOULD SHOWN A
LITTLE RESPECT WITH THE OLD & YOUNG. THIS IS A BIG IN HONOR HOOD WITH A
SMALL COTTAGE, PLEASE DON'T DESTROY OUR HOUSES AND LOVING AND PRIMARILY OUR HOME'S & FAMILY
THREE THAT'S BEEN IN MY LIFE FOR YEARS ALONG WITH THE ANCESTORS &
SCREEN PRINTS OF THE NEIGHBOR. IT DESTROUCTS ALL, OUR TRADITION,
STRUCTURE & DISAGREE WITH THE PROJECT THIS IS MY NEIGHBOR HOOD & WE DON'T
NEED HOTELS OR TRAFFIC, THANKS MY FAMILY'S
APPENDIX AND WILL NOT CHANCES TO OWN MY
GOD OR MY FAMILY I LOVE ABOUT OUR HOME STEAD

Darry Johnson